

This correspondence is being sent via facsimile
to 703-308-7751 on February 21, 2002



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Galenoff and Ditlow)
Serial No.: 09/848,967) Examiner: N/A
Attorney Docket No. 21417/92378)
Filing Date: May 4, 2001) Art Unit:
Title: IMMUNOGENIC PEPTIDES AND USES)
 THEREOF)

REQUEST TO WITHHOLD ABANDONMENT

Assistant Commissioner of Patents
BOX MISSING PARTS
Washington, D.C. 20231

Dear Sir:

In accordance with 37 C.F.R. 1.53(b) the above captioned case could be abandoned for failure to reply to the Notice to File Missing Parts. By this communication the applicant is requesting that the case be withheld from abandonment. Applicants' representative never received a copy of the Notice to File Missing Parts mailed on July 11, 2001 or the Filing Receipt.

On February 15th, 2002 it came to the attention of the applicants' representative that no Filing Receipt had been received on the above captioned matter. The applicants' representative contacted the United States Patent and Trademark Office to request a copy of the filing receipt and was informed by Ms. Robinson of the Office of Initial Patent Examination (703-308-1202) that a Notice to File Missing Parts was mailed July 11, 2001. Applicants' representative requested a copy of said Notice in order to file a response and the Notice was received on February 19, 2002. A copy is enclosed.

The applicant submits a Response to Notice to File Missing Parts with this Communication and requests that it be considered and the above captioned case not be abandoned.

Therefore, applicants' respectfully request that the United States Patent and Trademark Office withhold abandonment and consider the Response to Notice to File Missing Parts which follows.

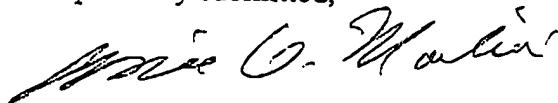
Serial No. 09/848,967

-2-

Atty Docket No. 21417/92378

Please charge any fees for this request to deposit account number 10-0435 with reference to our attorney docket number (21417/92378).

Respectfully submitted,



Alice O. Martin
Registration No. 35,601
Attorney for Applicant

BARNES & THORNBURG
2600 Chase Plaza
10 S. LaSalle Street
Chicago, IL 60603
(312) 357-1313
February 21, 2002

CHDS01 AOM 124231v1

FEB. 21. 2002 3:16PM

This correspondence is being sent via facsimile to
703-308-7751 on February 21, 2002.

NO. 523 P. 8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Emanuel Calenoff and)
Charles Ditlow)
Serial No.: 09/848,967) Examiner: NA
Attorney Docket No. 21417/92378)
Filing Date: May 4, 2001) Art Unit: 1647
Title: IMMUNOGENIC PEPTIDES AND USES)
THEREOF)



RESPONSE TO NOTICE TO FILE MISSING PARTS

Assistant Commissioner of Patents
BOX MISSING PARTS
Washington, D.C. 20231

Dear Sir:

In response to the Notice to File Missing Parts mailed July 11, 2001, enclosed is a Declaration and Power of Attorney signed by the inventors for the parent case, 09/837,630, a request for a 4-month extension of time, a Submission of Sequence Listing Under 37 C.F.R § 1.821(e), a Preliminary Amendment and Clean and Marked-Up Specification paragraphs and FIGS. Applicants' representative attests that the inventors and their assignee are small entities.

Please charge deposit account no. 10-0435 in the amount of \$438.00 to cover the costs indicated in the Notice to File Missing parts and reference our attorney docket number (21414/92378).

Respectfully submitted,


Alice O. Martin
Registration No. 35,601
Attorney for Applicant

BARNES & THORNBURG
2600 Chase Plaza
10 South LaSalle Street
Chicago, IL 60603
(312) 357-1313
February 21, 2002
CHDS01 AOM 124344v1



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/848,967 | 05/04/2001 | Emanuel Calenoff | 21417/92378 |

23644
BARNES & THORNBURG
2600 CHASE PLAZA
10 LASALLE STREET
CHICAGO, IL 60603



CONFIRMATION NO. 6936
FORMALITIES LETTER

OC00000006282883

Date Mailed: 07/11/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$18.
 - \$18 for 2 total claims over 20.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter..
- The balance due by applicant is \$ 438..

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention

03/20/2002 MMARHOL 00000009 100435 09848967

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| 02 FC:203 | 9.00 CH |
| 03 FC:205 | 65.00 CH |

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| 03/21/2002 MMARHOL 00000001 100435 09848967 |
| 01 FC:203 9.00 CH |

HH

2600 Chase Plaza
10 South LaSalle Street
Chicago, Illinois 60603
(312) 357-1313

Telecopier (Fax) Number: (312) 759-5646

BARNES & THORNBURG
Attorneys at Law

FAX COVER SHEET

TO: Office of Initial Patent COMPANY NAME: United States Patent and
Examination (Attn: Ms. Robinson) Trademark Office

FROM: Alice O. Martin TELECOPY NO.: 703-308-7751

TELEPHONE NO.:

DATE: February 21, 2002 TIME SENDING:

NUMBER OF PAGES (INCLUDING THIS COVER SHEET): 39

If you have difficulty receiving this Fax, please call Barnes & Thornburg fax department at (312) 214-8823 and ask for _____

RE: Serial No. 09/848,967
Title: IMMUNOGENIC PEPTIDES AND USES THEREOF
Filing Date: May 4, 2001
Inventors: Calenoff and Ditlow
Atty Docket No. 21417/92378

CLIENT # 21417
MATTER # 92378/

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 Original will not follow by mail

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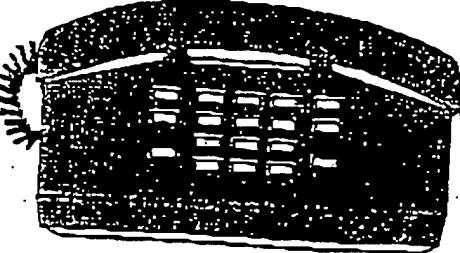
Elkhart

Chicago

Washington, D.C.

U.S. Department of Commerce
Patent and Trademark OfficeOffice of Initial Patent Examination (OIPE)
Customer Service

(703) 308-1202 or 1203 Fax (703) 308-7751

 Fax

To: Alice

From:

Fax: 312-759-5646

Pages: 3

Phone: 312-814-8812

Date: 2-19-02

Ref: 091848967

Office: (OIPE) Customer Service

 Urgent Corrected Filing Receipt Replacement Filing Receipt Please Reply

Copy of Notice of Non-Responsive Letter (per your request)

Comments: Customer copy has been mailed. This is the office copy.

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
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